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FILED

8 MAR 13 2008

9 RICHARD S.
10 SAN FRANCISCO DIVISION

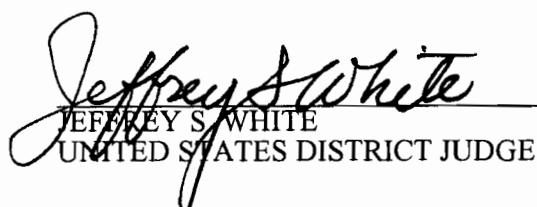
11 **DAVID MONTIEL CRUZ,**

12 Petitioner,
13 v.
14 **RICHARD SUBIO, Warden,**

15 Respondent.
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17 [PROPOSED] ORDER GRANTING
18 FIRST EXTENSION OF TIME TO
19 FILE ANSWER

20 GOOD CAUSE APPEARING, respondent is granted an additional sixty (60) days to and
21 including May 7, 2008, to file an answer to the petition for writ of habeas corpus. Petitioner may
22 file a reply within (30) days after the answer has been filed and served.

23 DATED: MAR 13 2008

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JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

DAVID MONTIEL CRUZ,

Plaintiff,

v.

SECY AND WARDENS CDCR et al,

Defendant.

Case Number: CV07-04329 JSW

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on March 13, 2008, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

David Montiel Cruz
V65475
Mule Creek State Prison
P.O. Box 409099
Ione, CA 95640

Joan Killeen
Office of the Attorney General
455 Golden Gate Avenue, Suite 11000
San Francisco, CA 94102

Dated: March 13, 2008

Jennifer Ottolini
Richard W. Wieking, Clerk
By: Jennifer Ottolini, Deputy Clerk